

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN THE MATTER OF:

Jimmerine Miles

**Case No. 19-41272
Judge Mark A. Randon
Chapter 13**

Debtor(s) /

OBJECTION TO THE CLAIM OF MICHIGAN DEPARTMENT OF TREASURY

NOW COME(S) Debtor(s) by and through attorney, John A. Steinberger, and objects to the claim filed by **MICHIGAN DEPARTMENT OF TREASURY** as follows:

1. That on January 30, 2019 Debtors filed Chapter 13 Bankruptcy.
2. That on July 19, 2019 the Michigan Department of Treasury filed their Proof of Claim (PACER Claim 11).
3. That on State of Michigan alleges in their Proof of Claim unfiled returns for 2016 City of Detroit and State of Michigan, 2017 City of Detroit and State of Michigan and 2018 City of Detroit and State of Michigan.
4. That Debtor has submitted a copy of the Affidavit filed with the US Bankruptcy Court indicating she did not have sufficient income to file for 2016.
5. That Debtor has forwarded returns for the other years in question to the State of Michigan.

That a proposed Order is attached hereto as Exhibit A.

WHEREFORE Debtor(s) pray(s) that this Honorable Court enters an Order denying the claim of the Michigan Department of Treasury in full.

Dated: 9/18/2019

/s/

Noel Aaron Cimmino (P61176)
John A. Steinberger & Associates, P.C.
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Southfield, MI 48075
(248) 559-4055
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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN THE MATTER OF:

Jimmerine Miles

Debtor(s) /

**Case No. 19-41272
Judge Mark A. Randon
Chapter 13**

**ORDER GRANTING OBJECTION TO PROOF OF
CLAIM OF MICHIGAN DEPARTMENT OF TREASURY**

This matter having come on for hearing before the Court by way of the objection of the debtor to the allowance of the claim of the above referenced creditor, service having been made with a notice of hearing allowing a thirty (30) day notice pursuant to Bankruptcy Rule 3007, and no objection having been filed:

NOW THEREFORE,

IT IS HEREBY ORDERED that the objection to the Proof of Claim filed by the above-referenced creditor is hereby granted.

IT IS FURTHER ORDERED that the claim of **MICHIGAN DEPARTMENT OF TREASURY** shall be denied.

IT IS FURTHER ORDERED that the Trustee shall not have to recoup any payments made to this Creditor prior to entry of this order.

Exhibit A

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN THE MATTER OF:

Jimmerine Miles

Debtor(s) _____/

Case No. 19-41272

Judge Mark A. Randon

Chapter 13

NOTICE OF OBJECTION TO CLAIM

The Debtor has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or denied. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to deny or change your claim, then on or before October 23, 2019, you or your attorney must:

1. File with the court a written response to the objection, explaining your position at:
United States Bankruptcy Court 211 W. Fort Street, Suite 2100, Detroit, Michigan 48226

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date stated above.

You must also mail a copy to:

John A. Steinberger, P.C., 17515 West Nine Mile Road, Suite 420, Southfield, MI 48075

Krispen S. Carroll, 719 Griswold Street, 1100 Chrysler House, Detroit, MI 48226,

2. Attend the hearing on the objection, scheduled to be held on October 30, 2019 at 11:00 AM in Courtroom 18251825, United States Bankruptcy Court, 211 West Fort Street, Detroit, MI, unless your attendance is excused by mutual agreement between yourself and objector's attorney.

(Unless the matter is disposed of summarily as a matter of law, the hearing shall be a pre-trial conference only; neither testimony nor other evidence will be received. A pre-trial scheduling order may be issued as a result of the pre-trial conference.)

If you or your attorney do not take these steps, the Court may deem that you do not oppose the objection to your claim, in which event the hearing will be canceled, and the objection sustained.

/s/ _____

Noel A. Cimmino (P61176)

Attorney for Debtor(s)

17515 W. 9 Mile Road, Ste. 420

Southfield, MI 48075

(248) 559-4055